

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PAUL E. PARTRIDGE,
PAUL E. PARTRIDGE, JR.

Plaintiffs,

v.

APPLICA CONSUMER PRODUCTS, INC.
BRINK'S HOME SECURITY, INC.

Defendants.

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) C.A. NO. 05-10601-MLW
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JOINT MOTION TO REVISE SCHEDULE

The parties, by and through their counsel, hereby move the Court to approve a minor modification to the schedule such that defendants shall identify their expert witnesses on or before **April 17, 2006** (previously February 17, 2006), fact discovery shall be completed on or before **May 1, 2006** (previously March 1, 2006), expert discovery shall be completed on or before **May 31, 2006** (not previously scheduled), the status conference currently scheduled for March 15, 2006 shall be rescheduled to a date following the completion of fact and expert discovery, and the date by which dispositive motions shall be filed will be determined by the Court at the status conference.

In support of this motion, the parties state as follows:

1. Pursuant to its September 20, 2005 electronic order, the Court set the following discovery schedule: Fact discovery to be completed by March 1, 2006; Plaintiffs to identify expert witnesses by February 1, 2006; and Defendants to identify expert witnesses by February 17, 2006. The Court also scheduled a status conference for March 15, 2006 at 10:15 a.m. The

Court has not yet set deadlines for the completion of expert discovery or the filing of dispositive motions and has not yet scheduled a final pre-trial conference or a trial.

2. Due to scheduling difficulties, the parties will not be able to complete the taking of fact witness depositions prior to the March 1, 2006 fact discovery deadline. The parties have agreed to complete all fact witness depositions on or before May 1, 2006.

3. The parties have also agreed to extend the time within which the defendants must identify their expert witnesses until April 17, 2006 and to complete expert discovery on or before May 31, 2006.

WHEREFORE, the parties jointly move the Court to approve the following revised schedule:

- (a) Defendants must identify their expert witnesses by **April 17, 2006**;
- (b) Fact discovery shall be completed on or before **May 1, 2006**;
- (c) Expert discovery shall be completed on or before **May 31, 2006**;
- (d) The Court shall reschedule the status conference for a date following the completion of fact and expert discovery; and
- (e) The date by which dispositive motions shall be filed will be determined by the Court at the status conference.

Respectfully submitted,

PAUL E. PARTRIDGE
PAUL E. PARTRIDGE, JR.

APPLICA CONSUMER PRODUCTS, INC.

By their attorneys,

By its attorneys,

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Dated: February 10, 2006